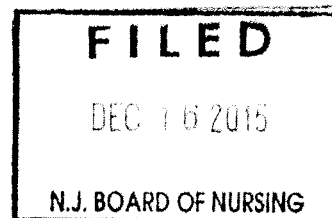


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
MELL L. ZILLGER, R.N.	:	FINAL ORDER
License # 26NO07728600	:	OF DISCIPLINE
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Mell L. Zillger ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about May 7, 2014, Respondent completed and submitted an online biennial renewal application which asked whether Respondent would have "completed the required continuing education credits by May 31, 2014" referring to the biennial renewal period of June 1, 2012 - May 31, 2014. Respondent was also asked whether she had completed the one hour course on Organ and Tissue Donation. Respondent answered "yes" to both questions and certified the answers by submitting the online application.

3. In response to a request for proof of completion of continuing education for the biennial renewal period from June 1, 2012 - May 31, 2014, Respondent provided certificates of completion of 20.25 hours of continuing education completed. Respondent failed to provide a certificate of completion for the one hour course on Organ and Tissue Donation.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

Respondent failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2012 - May 31, 2014. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

DISCUSSION ON FINALIZATION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand, and a seven hundred and fifty dollar (\$250) civil penalty was entered on August 27, 2015. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written

evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order of Discipline, in a letter dated September 15, 2015, and provided proof of completion of 29.25 hours in the following manner:

20.25 hours within June 1, 2012 - May 31, 2014;
and 9 hours within June 1, 2014 - May 31, 2016.

Respondent conceded that she had failed to timely complete the requisite number of continuing education hours and the required course on organ and tissue donation prior to her May 31, 2014 renewal. She advised the Board that she had suffered a series of personal and professional hardships from 2012 to 2014 which contributed to her failure to timely complete all required continuing education. Lastly, respondent's submission demonstrated that she had cured those deficiencies.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. Based on the foregoing, the Board voted to finalize the POD with modifications.

Inasmuch as Respondent cured the deficiency in her continuing education, the Board determined that suspension was no longer warranted. However, the Board found that Respondent's failure to timely complete the required continuing education

within the June 1, 2012 - May 31, 2014 biennial period warrants imposition of a two hundred dollar and fifty dollar (\$250) civil penalty. Also, the Board concluded that a reprimand is warranted for Respondent's corresponding answer on her renewal application whereby she misrepresented that she had completed the required continuing education when she was unable to demonstrate, to the satisfaction of the Board, that she had done so. Finally, the Board found that respondent will have to complete an additional thirty (30) hours of continuing education prior to May 31, 2016 to satisfy the requirements for the current biennial period.

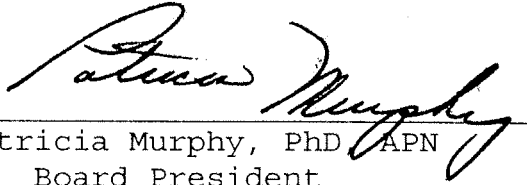
ACCORDINGLY, IT IS on this 16th day of DECEMBER 2015, ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in this matter:

1. A reprimand is imposed on Respondent Mell L. Zillger, R.N., for falsifying the continuing education information on her license renewal application.

2. Respondent is assessed a civil penalty in the amount of two hundred fifty dollars (\$250) for failing to timely complete required continuing education. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to Leslie Burgos, Board

Staff, State Board of Nursing, Post Office Box 45010, Newark,
New Jersey 07101. Any other form of payment will be rejected
and will be returned to the party making the payment. Payment
shall be made no later than fifteen (15) days after the date of
filing of a **Final Order of Discipline**. In the event Respondent
fails to make a timely payment, a certificate of debt shall be
filed in accordance with N.J.S.A. 45:1-24 and the Board may
bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By: 
Patricia Murphy, PhD, APN
Board President